

### REMARKS/ARGUMENTS

Claims 1-21 are in the case. The applicants have studied the Office Action mailed December 31, 2007 and believe the application is in condition for allowance. Reconsideration and reexamination are respectfully requested.

The Examiner has rejected the claims as obvious under 35 U.S.C. §103 by the Downs et al reference, U.S. Pat. No. 6,226,618 in view of the Anderson reference, U.S. Pat. No. 6,578,142 and further in view of Patel et al. U.S. Pat. No 6,918,113. This rejection is respectfully traversed.

Claim 8, for example, is directed to a "method of installing an application program for execution on a data processing system" comprising *inter alia* "defining a user configuration of the application program installation corresponding to a particular user of the application program installed on a first data processing system; encrypting and storing the user application program installation configuration in a manifest file; determining that the stored user application program installation configuration corresponds to the particular user; authenticating the particular user in response to the particular user requesting the application program for installation on a second data processing system; decrypting the manifest file in response to the user authentication; and building the application program on the second data processing system in a configuration customized to conform to the user application program installation configuration decrypted from the manifest file." The Examiner has conceded that the Downs reference fails to disclose "defining a user configuration of the application program installation corresponding to a particular user of the application program installed on a first data processing system" as required by claim 8. Instead, it is the Examiner's position that the Anderson reference "discloses installing a software application to user computer based on the user profile, and user preferences," citing col. 9, lines 40-55 of the Anderson reference, and as such, it would be obvious to "combine Downs and Anderson." The applicants respectfully disagree.

Even if the Examiner's position concerning the Anderson reference were assumed to be correct, a position not conceded by the applicants, the Examiner concedes that the "combination of Downs and Anderson doesn't expressly disclose authenticating and decrypting for installation on a second data processing system." Indeed, it is respectfully submitted that the new operating system described in the Anderson reference is installed on the *same* "computer system 100" on

which the user profile was based. Anderson, col. 10, lines 1 et seq. Thus, it is clear that the Examiner's citations to the Anderson reference do not teach or suggest "defining a user configuration of the application program installation corresponding to a particular user of the application program installed on a first data processing system; ... and building the application program on the second data processing system in a configuration customized to conform to the user application program installation configuration decrypted from the manifest file" as required by claim 8.

It is the Examiner's position that "Patel in an analogous art and similar configuration discloses encrypting and decrypting in a client server system which involves the client authenticating receiving data from a server system (8:8:35 - 9:30)." It is further the Examiner's position that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Downs and Anderson and Patel, because it would enable receiving data from a remote system."

However, even if the Examiner's position concerning the Patel reference were assumed to be correct, a position not conceded by the applicants, it is respectfully submitted that the Examiner has cited no portion of the Patel reference which indicates that the application being installed from a remote server is being installed on a second computer system in accordance with a user profile defined on a first computer system. Thus, even if the installation of the Anderson reference were modified in view of the Patel reference to "enable receiving data from a remote system" as suggested by the Examiner, such a modified installation would still lack "defining a user configuration of the application program installation corresponding to a particular user of the application program installed on a first data processing system; ... and building the application program on the second data processing system in a configuration customized to conform to the user application program installation configuration decrypted from the manifest file" as required by claim 8.

Accordingly, it is clear that the Examiner's citations to the Downs, Anderson and Patel references, considered alone or in combination, do not teach or suggest "defining a user configuration of the application program installation corresponding to a particular user of the application program installed on a first data processing system; ... and building the application program on the second data processing system in a configuration customized to conform to the

user application program installation configuration decrypted from the manifest file" as required by claim 8.

As explained in the present specification, a method in accordance with claim 8 can facilitate transferring an application program from one workstation to another while assuring that the requesting user is authorized and the program is configured according to the particular user's profile:

The user may also move from a first workstation 12 on which the application program is installed to a different second workstation 12 on LAN 10 and still be able to access the user's tools and data which may be downloaded and installed on the second workstation 12 in a similar fashion to the download and installation on the first workstation 12. Using the user configurations and authentications stored on storage 20 and the server 18, a customer may control the application programs, the versions of these application programs, and resources that are available to the particular user. Present specification, page 11, lines 1-7.

The Examiner's citations to the Patel or Anderson references clearly have no teaching or suggestion of "defining a user configuration of the application program installation corresponding to a particular user of the application program installed on a first data processing system; ... and building the application program on the second data processing system in a configuration customized to conform to the user application program installation configuration decrypted from the manifest file" as required by claim 8.

With respect to the Downs reference, it is the Examiner's position that the Downs reference teaches "encrypting and storing the user application program installation configuration in a manifest file" citing column 80, lines 29-31 of the Downs reference. However, it is clear that the Examiner's citation discusses an encryption capability of the Helper application 198 used in processing Order and License SCs, not for installing the Helper application 198 itself. Moreover, since the Examiner has conceded that the Downs reference fails to disclose "defining a user configuration of the application program installation corresponding to a particular user of the application program" as required by claim 8, it is clear that the Downs reference cannot teach or suggest "encrypting and storing the user application program installation configuration in a manifest file" as required by claim 8.

It is the Examiner's position that the Downs reference teaches "determining that the stored user application program installation configuration corresponds to the particular user" citing column 79, lines 32-41 of the Downs reference. However, it is clear that the Examiner's citation discusses the Helper application 198 processing SCs and adding Content 113 to the Digital Content Library 196 of the End User. Again, the Examiner has not cited any teaching or suggestion that the "downloadable Content 113" of the Downs reference is in any manner configured for a particular user pursuant to a user application program installation configuration decrypted from a manifest file and defined for a particular user. With respect to the Helper application 198, the Helper application is of course already installed so that it can perform the indicated SC processing and Content 113 adding. Thus, it is clear that the Examination's citation to the Down reference does not teach or suggest "determining that the stored user application program installation configuration corresponds to the particular user." Moreover, since the Examiner has conceded that the Downs reference fails to disclose "defining a user configuration of the application program installation corresponding to a particular user of the application program" as required by claim 8, it is clear that the Downs reference cannot teach or suggest "determining that the stored user application program installation configuration corresponds to the particular user" as required by claim 8.

The remaining "authenticating" and "decrypting" recitations of claim 8 are similarly not met by the Examiner's citations to the Downs reference. These citations appear to be directed to various portions of the method of processing the SCs and adding Content 113. They do not appear to be related to the installation of the Helper application 198. Instead, it is believed that the Helper application 198 is to be installed before any SCs may be processed or Content 113 added. Conversely, the Examiner has not cited any teaching or suggestion that the "downloadable Content 113" of the Downs reference is in any manner configured for a particular user pursuant to a user application program installation configuration decrypted from a manifest file and defined for a particular user.

Independent claims 1 and 15 may be distinguished in a similar fashion. Claims 2-7, 9-14 and 16-21 depend either directly or indirectly from claims 1, 8 or 15. Accordingly, the rejection of these claims is improper for the reasons given above. Moreover, claims 2-7, 9-14 and 16-21

include additional limitations, which in combination with the base and intervening claims from which they depend provide still further grounds of patentability over the cited art.

The Examiner has made various comments concerning the anticipation or obviousness of certain features of the present inventions. Applicants respectfully disagree. Applicants have addressed those comments directly hereinabove or the Examiner's comments are deemed moot in view of the above response.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-21 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0460.

The attorney of record invites the Examiner to contact him at (310) 553-7970 if the Examiner believes such contact would advance the prosecution of the case.

Dated: March 31, 2008\_

By: /William Konrad/

William K. Konrad  
Registration No. 28,868

Please direct all correspondences to:

William K. Konrad  
Konrad Raynes & Victor, LLP  
315 South Beverly Drive, Ste. 210  
Beverly Hills, CA 90212  
Tel: 310-553-7977  
Fax: 310-556-7984